

From: Bill Costa
To: Microsoft ATR
Date: 1/23/02 12:35pm
Subject: Microsoft Settlement

Dear Department of Justice,

First off, let me affirm that I am a citizen of the United States and wish to exercise my right to comment on the recent Microsoft settlement as allowed by the Tunney Act comment process. (Please see my signature below for full name, address and contact information.)

I feel it is important that Microsoft be prevented from introducing intentional incompatibilities in their software to discourage the use of non-Microsoft operating systems. In 1996 the operating system vendor Caldera brought a private antitrust suit against Microsoft over this very issue. The judge in this case ruled that:

"Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

I have every reason to believe that Microsoft will continue to use such tactics if allowed to, but unfortunately the current settlement does nothing to prevent this. In fact as an e-mail system administrator at the University of New Hampshire, I believe I am already beginning to see efforts by Microsoft to make it difficult to exchange e-mail messages between non-Microsoft e-mail programs and Microsoft's own e-mail clients.

This is an important issue. Without open publication of the the operating system's API and the assurance that Microsoft will not introduce such intentional incompatibilities, it will be impossible for other companies or open source software developers to create software that directly competes against Microsoft's own offerings.

Because of this I feel a provision to explicitly prohibit Microsoft from engaging in such practices is vital in helping to stop such predatory actions in the future.

Thank you for your time and attention.

Later....BC

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